

cript of the proceedings as is now provided by law." Adopted.

And also the following amendments :

Section 21. That the second and third sections of the act of February 5th, 1840, to enable part wners of land to obtain partition thereof and for other purposes, be, and the same is hereby repealed. Adopted.

Amend section 10 by adding,

"Whenever in any cause it may be material to prove the assessment of any property for taxes, or the payment of any taxes, the certificate of the Comptroller of this State of such assessment from the rolls deposited in his office, or the payment of such taxes is shown by the Records of his office, shall be admissible to prove the same. Adopted.

Mr. Burroughs moved to strike out section 17—lost.

The bill was then ordered to be engrossed.

On motion of Mr. Paschal, the rule was suspended, bill read a third time and passed.

On motion of Mr. Quinan, a bill to exempt certain property from execution and forced sale, was made the special order for to-morrow.

On motion of Mr. Paschal the Senate adjourned until to-morrow morning 10, o'clock.

FRIDAY, January 22, 1858.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House informing the Senate that the House had passed a bill orginating in the Senate for the relief of the Washington county Railroad Company, and

A Joint Resolution, originating in the House, relative to the Coupon Bonds.

Also that the House had appointed Messrs. Edwards, Evans, of McClennan and Shannon, a Special committee on the petitions of the citizens of the frontier counties relative to Indian Depredations, and request the appointment of a like committee on the part of the Senate.

Mr. Grimes presented the petition of Y. P. Alsbury ; referred to the committee on Claims and Accounts.

Mr. Potter made the following report :

The Judieary committee have considered the petition of John B. Stewart, and that of John T. Pierce, praying relief from the disabilities of minority, and direct me to report a bill for their relief, and recommend its passage.

A bill to remove the disabilities of minority from John B. Stewart and John T. Pierce and declare them of lawful age: read first time.

On motion of Mr. Guinn, the rule was suspended and bill ordered to be engrossed.

Rule further suspended bill read a third time and passed.

Mr. Pirkey, chairman of the committee on Pubilic Lands, made lhe following report.

The committee on Public Lands have considered the application of J. H. Catlin for 640 acres of land, as the headright of Daniel M. Symonde, dec'd. It appears that Symonde, the head of a family, emigrated to Texas prior to January 1st, 1841, and remained here until his death and that his heirs are entitled to the quantity of land asked for. James H. Catlin was the Administrator of said Symonde, and claims the land in his own right by virtue of a decree of the County Court, of Austin county, at its May Term, 1857. Your committee do not think it a good precedent to authorize the issuance of a Certificate to an assignee, or a person claiming under a decree of a County or Probate Court. A majority of the committee direct me to report the accompanying bill and recommend its passage, leaving Catlin to rely for title upon his decree.

A bill for the relief of the heirs of Daniel M. Symonde; read first time.

On motion of Mr. Herbert, the rule was suspended, bill read a second time and ordered to be engrossed.

Rule further suspended, bill read a third time and passed.

Mr. Paschal from the committee on State Affairs, made the following report:

The committe on State Affairs, have considered a House bill to purchase the Alamo Monument, and instruct me to recommend its passage. The story of this monument and of those whose names it is designed to commemorate its short, tragical and full of pathos. The monument is carved from the rude stones of the Alamo; stained with the blood of one hundred and eighty-three martyrs to Texan liberty. On these stones are carved the names of the fallen. The place where their bones were brutally and sacrilegously thrown

together is marked by no object, and is not even known to a half dozen of the living. The building of the Alamo is rapidly crumbling into ruins, and will soon disappear. The fall of the Alamo is a prominent part in the history of Texas, and will be remembered while Texas has a history. But of most of those who there fell, there exists no fitting memorial by which their names can be transmitted to posterity, save in the monument now proposed to be purchased. This, though not executed in the highest artistic style, nor of the most enduring material is nevertheless the most proper memento of those whose whole public history was one of patriotic devotion to the cause of their country. The hand that traced the sculpture was animated by a heart that bowed with patriotic devotion to the cause of Texas. He too, like those whose memory he attempted to perpetuate, has long since mouldered into dust. The price now proposed to be paid is less than the original cost of the monument.

I hope the Senate will pass the House bill.

On motion of Mr. Paschal the rule was suspended, and bill read a second time.

Mr. Potter offered the following amendment :

And said monument is hereby donated to the City of San Antonio, to be by the authorities of said City, kept in some proper public place in said city ; rejected.

Mr. Burroughs offered the following amendment, which was adopted.

And that the sum of ——— dollars be and is hereby appropriated to be used by the Governor at his discretion in properly placing within the Capitol and making suitable repairs on said monument, and in providing for the protection of the same.

Mr. McCulloch moved to fill the blank with \$200 00 ; lost.

Mr. Martin moved to fill the blank with \$150 00 ; lost.

On motion of Mr. Trockmorton, the blank was filled with \$100 00.

On motion of Mr. Graham the bill was amended by striking out \$2,500 00, in the 1st Section, and inserting in lieu thereof \$1,500 00,

And by striking out all after the word "Monument," in line fifth of Section 2, to the word "provided," in line four from the last Section.

The bill was then passed to a third reading.

On motion of Mr. Russell, the rule was suspended, bill read a third time and passed.

On motion of Mr. Erath, the message from the House, informing the Senate that the House had appointed a Special committee on the petition of sundry citizens of the frontier counties relative to Indian Depredations, and requesting the appointment of a like committee on the part of the Senate was taken up, and the Senate ordered a like committee to be raised.

Messrs. Erath, Graham and McCulloch, were appointed the committee.

On motion of Mr. Erath, the rule was suspended, and

A bill for the protection of the frontier was taken up, and referred to the said committee.

Mr. Martin, by leave, presented the petition of sundry ladies of Brown county, asking protection against Indian Depredations ; also referred to the same committee.

A message was received from the Governor transmitting the following communication, which on motion of Mr. Erath, was taken up, read, and referred to the same committee, and was as follows :

EXECUTIVE OFFICE, }  
JANUARY 22, 1858. }

*To the Honorable President of the Senate :*

Enclosed I send documents containing all the information in my possession of the Indian Depredations, in compliance with the Resolution of the Senate, of the 21st inst. Of the full authenticity of the information contained therein, the Senate will be as capable of judging as myself.

I am satisfied however, from the corresponding evidence they furnish of depredations which have been committed, that our fellow-citizens on the frontier have great cause for alarm and apprehension from the frequent and continued forays, which have recently been made by the Indians.

There are now four Companies of Rangers on the frontier, three of twenty men each, and one of thirty. One of these companies is stationed on the headwaters of the Guadaloupe, one on the Colorado, and two on the waters of the Bazos. I am satisfied that these companies are insufficient for the protection of the frontier.

But whether the State should raise the additional force necessary, is a question not free from difficulty, the solution of

which must in a great measure rest with the Legislature. In arriving at a conclusion it should be borne in mind, that it is the duty of the Federal Government to afford the protection required, and that the expense is one which the State should not properly be encumbered with. From the great extent of the frontier exposed, nothing short of a permanent mounted force of several hundred men, will be anything like adequate to the object, unless an expedition were authorized to follow the Indians to their places of retreat, break up their lodges and execute on them that summary vengeance, which alone can give permanent peace. This is not the time at which such an expedition can be undertaken to advantage. The inclemency of the season and want of forage, it seems to me, presents difficulties not easy overcome. As will be seen from the correspondence with General Twiggs he has no authority for calling out an additional force, and if the Legislature, in its wisdom, should do so, under the existing emergency, it is scarcely to be believed, the General Government will refuse to meet the necessary expenditure which may be incurred.

The depredators are supposed to be chiefly U. S. Indians, who cross Red River in their expeditions, at or near the junction with the large Wichhita, without hinderance, the Government having no post or military force there to restrain them. I recommend a memorial or resolution requesting the War Department to establish a Military Post, at or near that point, and that such other facts in regard to our frontier protection, and the character of force needed, be set forth as may properly suggest themselves to your consideration.

H. R. RUNNELS.

Mr. Potter made the following report :

The committee on the Judiciary have considered a bill to incorporate the Beneficiary Association of San Antonio, and direct me to recommend the passage of the bill, with the following amendments.

Amend 1st.—In Section 1, line six, after the word "politic," insert "for charitable and benevolent purposes."

2d.—In line nine, same Section, strike out "perpetual."

3d.—In line twelve, same Section after the word "mixed," insert not to exceed in value \$50,000 00."

4th.—At the end of Section 2 add :

"*Provided*, This act shall only remain in force twenty years from and after its passage."

Mr. Quinan made the following report :

The committee on Education have considered a bill to incorporate the New Braunfels Academy and instruct me to report the same back, and recommend its reference to the Judiciary committee as it embraces grave questions of law and public policy.

On motion of Mr. Quinan, the rule was suspended, report taken up, read and adopted.

Mr. Guinn, chairman of the committee on Claims and Accounts, to which was referred the petition of Thomas Powell, reported it back, and recommended its reference to the committee on Public Debt.

On motion of Mr. Guinn, the rule was suspended, report taken up, read and adopted.

Mr. Russell, chairman of the committee on Engrossed bills, reported the following bills correctly engrossed.

A bill to remove the disabilities of minority from John B. Stewart and John T. Pierce, and declare them severally of lawful age.

A bill for the relief of Hannah Alexander.

A bill for the relief of John Johnson.

A bill to relinquish the right of the State to certain lands therein named.

A bill authorizing the fund set aside for the San Banard River, to be used in the construction of a Canal or Railroad, and

A bill to prohibit the issuance or delivery of Land Certificates, and the survey or patenting of land to the Galveston, Houston and Henderson Railroad Company, until said Company shall have complied with the requirements therein contained.

Mr. Taylor, of Cass, made the following report :

*Honorable President of the Senate :*

The Select committee, to whom was referred a Joint Resolution upon the subject of the capture of General William Walker, of Nicaragua, by Commodore Paulding, have given the subject that due consideration which its importance demands. Your committee are aware of the diversity of opinion upon the subject matter of the resolutions and therefore approach the discussion of them after mature reflection, with the belief, that they will be able to place the subject in such a light as will satisfy all unprejudiced minds that the resolutions should be passed. To place this matter

in its proper position before the Senate, it is necessary that we should recur to the condition of Nicaragua at the time, and the circumstances under which General Walker went to that State.

From the history of Nicaragua we find that since the first attempt to form a Government for that country, there have been two parties, one called the Liberal and the other the Central or Servile party. They have ever been antagonistical to each other, first one and then the other, have had the ascendancy. The Liberal or Republican party, when in power, were in favor of a Democratic form of Government, while the other has ever opposed anything tending to Republicanism, even when in power, abolishing the rights of trial by Jury, &c. This state of things continued until 1854, when these two parties were contending by force of Arms for the ascendancy, the liberal party having the Government under their control; then it was that, that party invited General Walker to come to their assistance; to this call he did not respond, but made a proposition to the authorities in power, that he would go as a colonist.

The proposition was accepted, and General Walker, with fifty-six men set sail for Nicaragua and was received with open arms by the Liberal party, as colonists and citizens. Walker, at once became identified with that party, and very soon peace was restored and a Republican form of Government established, and under the operations of this Government, he, (Walker,) was elected President of Nicaragua, and thus things continued for a brief period, when the State of Costa Rica, having no other pretence for offence, against the American feeling being implanted in Nicaragua, declared that her boundaries were not what they should be, and thereupon commenced a servile war against Nicaragua, and induced the State of San Salvador to also enter the contest against the little spark of American feeling which was struggling for the great principle of self government. Walker had been placed by the operation of law, at the head of the Nicaraguan Army. He at once began making arrangements for defending his adopted country, against the United Powers of the other sister States, and for a time was successful in driving back the enemy, notwithstanding the disaffection of some of the Natives of the Province for whose rights he was contending.

He found himself as he thought firmly planted in power at Grenada, and believed he would be able to sustain himself

and set on foot a Government similar to that of the United States, and thus believing he unfortunately intimated that slavery would be tolerated, this intimation, as the sequel has proven, was fatal to him and his cause, thus far, for no sooner was this declaration known than the Governments of England and France began throwing impediments in the way of the consummation of his plans, and the people of the Northern States of this Government, who up to this time had been the friends of the enterprise, became clamorous against Walker, denouncing him with all the foul denunciations of which they could conceive.

England went so far as actually to furnish the Costa Ricans with arms and amunition, in open violation of the Monroe Doctrine, which has been considered the settled policy of this Government ; but the unfortunate expression of Walker upon the subject of Slavery had aroused such an opposition to him in the Northern States, that this Government from this and other causes was intimidated from an enforcement of that doctrine, and from this time the prospects of Walker began to wane in Nicaragua. He was soon forced from his strong hold at Grennda, a position he could have held but for the aid and comfort given the enemy by foreign powers. He returned to San Juan, where he was strongly fortified, but beseiged by other Central American States.

This was the conditions of things, when Lieutenant Davis, of the United States Navy forced General Walker to capitulate upon his own terms, by which capitulation he, (Walker,) and his men were compelled to come to the United States. This was contended by Lieutenant Davis as an act of humanity and so considered generally. Although General Walker, protested and said he could sustain himself and the principles he had so nobly espoused, until the facts were made known but a short time ago by President Mora, of Costa Rica, in a Message to the Congress of his Province, in which he stated Walker could have sustained himself, if let alone by the American Officer.

Walker, against his will came to the United States—he traversed the States North and South, proclaiming it wherever he went, that he was of right the President of Nicaragua ; that he intended to return. The Government officials were instructed to be on the alert for him, and prevent him from leaving the shores of the United States. Notwithstanding the vigilance of the Government, he set sail for what he believed



to be his own dominion. He landed and divided his Spartan band as to him seemed most advisable to regain that power which had been unlawfully wrested from him ; when in violation of all law, international and constitutional, Commodore Paulding landed upon a foreign soil and by force of arms, captured Gen. Walker, and a portion of his men, leaving Anderson with fifty men at Castillo, at the mercy of an infuriated enemy in numbers sufficient to crush and destroy them ; but they are Americans, and like Crittenden and others in Cuba, will die if needs be with their faces to the foe.

Now, the question at issue is, did Paulding have the right thus to act ? Is there any law, constitutional or international, that would warrant such conduct ? And if not, is it the duty of the U. S. to repair the wrong thus unlawfully perpetrated ? The majority of the committee believe that no such right exists in the General Government ; for that Government has no powers except those delegated by the States, and they have given no such power. The Government has the right to make treaties for extradition of subjects, but in this case, she had no such treaty with Nicaragua, nor has she ever had with any government, a treaty that would give this right—for in no treaty is to be found the right of our government to demand of another a subject for political offences. Now, if Walker had violated the so called neutrality laws of this Government, still Paulding would have had no right to capture him upon a foreign soil. If the principle that Paulding had the right is admitted, why did not, upon the same principle, the U. S. surrender *Gen. Kossuth* to the government who demanded him for political offences ; and again, by the same principle, may not England pursue the Irish patriot to American shores, and take him for political offences, and would not the same right, if it be correct, prompt an officer of this Government to pursue an individual to the shores of England, and there seize and bring him to the U. S. to atone for an offence political in its character, these, we think, reasons sufficient to satisfy all reasonable minds, that although Walker had been a citizen of the U. S., that his capture in a foreign soil would have been unwarranted and unauthorized by the Government.

But Walker was not a citizen of the U. S., he expatriated himself in 1854, by becoming a citizen of another government, and by the people of that government elected President—from which government he was unlawfully taken by the authorities of this government, and forced to the U. S., and when he left

this country, it was to return to his own government ; he landed upon his own soil, and was captured by an American officer, Commodore Paulding. Now if Walker is a citizen of Nicaragua, which we think all will admit, would Paulding not have the same right to go to England, France or any other place, and seize a citizen of either government for an alleged violation of our neutrality laws ? Most assuredly he would ; the principle being the same. We will not pursue this branch of the resolutions further, but proceed to discuss the 2nd and last resolution, which is, that it is the duty of the United States to make ample reparation for the injury sustained by the unlawful act of her officers. This, we think, every principle of justice demands. It has been the first great principle of jurisprudence since the Divine Law of Moses was established for the government of the children of Israel ; that when one person has perpetrated a wrong upon his fellow-man, that, that wrong should be repaired as near as may be by the offender ; and it is still so in our day and time—for even now, if one person steals the property of another, the first requirement of the law is, that the offender shall replace the property so taken. And should not States alike with persons, be held responsible for perpetrations of wrongs, for they are but the creatures of the people. And, again, when a Government or person has perpetrated a wrong against the United States, do we not hold either responsible for the injury sustained by the unlawful act ; and shall this Government require of others that which she is not willing to render herself ? We think it would be unworthy of any Government, and particularly ours, which claims for itself to be the model of the world. Then let her carry out the golden rule, and do as we would be done by. This course of policy will enable our Government to maintain that high position she now holds with other powers, while a different course of policy may have the effect to lower us in the estimation of all true lovers of liberty, wherever to be found. The majority of the committee can see no good reason why Texas, as a component part of the confederacy, shall not through her Legislature speak upon this subject.

If the laws have been violated, are we to sit still and thereby acquiesce in the perpetration of a wrong, or are we, like men who know our rights and dare maintain them, to speak out boldly upon this and all other questions in which we are alike interested with the other States. If we silently submit to a violation in one case, will it not be a prelude to another, till

perhaps all the rights the South now has will be wrenched from her by the strong arm of the Federal Government. We think that it should be resisted at once, if we expect to retain our equality in the government ; and again, we think, that of all governments ours should be the most consistent, and how does this case stand when compared with the case of Commodore Porter, some twenty years ago, when that commander was ordered by the government to cruize around the Island of Cuba, in search of a band of pirates who were committing depredations upon the commerce of the world. In this case one of the officers of the command pursued the pirates into their den on the Island, and destroyed their stronghold ; for this offence the government required the officer to be court-martialed, and he was dismissed for having violated his instructions ; but now, when Commodore Paulding has violated not only his instructions, but all laws, common and international, it is to be looked over, because, forsooth, he was actuated by patriotic motives. Let this but pass unnoticed, and may not an open act of injustice be done any one of the States by the federal authorities. All that will be necessary to secure approval, will be to cry out patriotism, and all is hushed into peaceful repose. This may have done in other days, but the time has come when the South has to demand a strict adherence to the laws organic and statutory—nothing less than this will secure her peace in the Union.

We know that it has been said, and doubtless will be reiterated, that the passage of these resolutions are but the favoring of filibusterism ; such is not the case—they say not one word about filibusterism ; they strike directly at a great principle of the powers of the general Government, and the opposers of them must be hard run for an argument to sustain their position, when they have to begin such outside issues, as those. They do it for no other purpose than to divert the Senate and the public mind from the true issue contained in the resolutions. The premises considered, the majority of the committee have instructed me to report the accompanying amendment which does not change the principles of the resolutions, and recommend its adoption and the passage of the resolutions.

All of which is respectfully submitted,

M. D. K. TAYLOR,  
Chairman.  
H. E. McCULLOCH,  
A. G. WALKER,

AMENDMENT—Add to end of second resolution, “or other satisfactory reparation.”

On motion of Mr. Britton, the report and joint resolution were made the special order of the day for Monday next, the 25th inst.; and

On motion of Mr. Taylor, of Fannin, fifty copies of the report and resolution were ordered to be printed.

Mr. Wigfall, from the same committee, gave notice that he would make a minority report.

Mr. Britton made the following report :

The joint committee on Stock and Stock Raising have had the subject for many days under careful consideration. The stock interest of Texas is second to none, and therefore recommends itself with great force to Legislative action. Your committee have had before it letters, petitions and documents, received from our fellow citizens throughout the State, and have had present before them other intelligent citizens engaged in that pursuit, all of which have assisted in drawing up the bill now presented to the Senate, which is believed to be as perfect as one can now be framed, and we recommend early action and the passage.

[Signed.]

H. E. McCULLOCH,  
Chairman.

FORBES BRITTON.

A bill pertaining to stock and stock raisers, read first time.

On motion of Mr. Britton, the bill and report were made the special order for 7 o'clock P. M.

On motion of Mr. Throckmorton, Mr. Fall was excused from attendance upon the Senate, on account of sickness.

On motion of Mr. Martin, Mr. Russell was added to the committee on Private Land Claims.

Mr. Graham, from the committee on State Affairs, to which was referred a bill to incorporate the Millville Male and Female Institute in Rusk county, reported the same back, with the following amendments, and recommended the adoption of the amendments and the passage of the bill.

Amend by adding the names of “Jesse Walling” and “James C. Vernon” to the list of corporators or trustees.

Amend section 4, by inserting after the word “act” the following: “shall be in force for twenty years only, and shall.”

On motion of Mr. Graham, the rule was suspended, bill and report taken up, read and the amendments adopted.

The bill was then passed to a third reading.

The rule was further suspended, bill read a third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Graham, Grimes, Guinn, Herbert, Hyde, Lott, McCulloch, Martin, Maverick, Paschal, Pedigo, Pirkey, Potter, Quinan, Russell, Scarborough, Stockdale, Taylor, of Cass, Taylor, of Fannin, Throckmorton, Walker Whaley and Wren—27.

NAYS—None.

Mr. Taylor, of Fannin, introduced a joint resolution for the relief of D. Rowlett ; read first time.

On motion of Mr. Taylor, of Fannin, the rule was suspended, and bill read a second time.

On motion of Mr. Stockdale, the bill was amended by adding to section 1.

“ Provided, that a copy of said certificate shall be retained in the Land Office, and the original returned to that office, after the determination of said suit : ”

The bill was then ordered to be engrossed.

Rule further suspended, bill read a third time and passed.

Mr. Hyde introduced a bill to amend the first section of an act to relinquish to the inhabitants of Ysleta, in El Paso county, a certain tract of land adjoining the town tract, now held and owned by said inhabitant, approved January 21st, 1854 ; read first time.

On motion of Mr. Hyde the rule was suspended, bill read a second time and ordered to be engrossed.

Rule further suspended, bill read a third time and passed.

Mr. Pedigo introduced a bill for the relief of Samuel Raymond ; read first and second times and referred to the committee on Public Lands.

Mr. Russell introduced a bill to amend an act to change the time of holding the county courts in Upshur county ; read first and second times and referred to the committee on the Judiciary.

Mr. Stockdale, reported as follows :

The undersigned one of the committee on the Judiciary, to whom was referred a bill to be entitled “ An Act further regulating proceedings of the District Courts,” not agreeing with the majority of the committee, asks leave to submit, briefly, some of his objections to that portion of the bill which provides that either party to a suit in the District Court, may, if he chooses, make a witness of the opposing party, and take his testimony by examination, in open court, or if absent, by

interrogatories, in the same manner, to the same extent, and under the same rules as he might that of a disinterested witness—with two exceptions: *First*, That the party so made a witness is not allowed to cross-examine himself or testify in regard to any matters about which he is not examined by the party introducing him; and *Second*, The testimony of the party when taken, shall not have the effect of that of a disinterested witness, in this: that the party calling him as a witness, may, if he chooses, call other witnesses in rebuttal, and to contradict and impeach the testimony of a witness whom he has himself placed on the stand.

The change in the law, is violative of principles, which have long prevailed upon the subject—principles which the undersigned has long regarded as well founded, and which the lessons of his own experience, and that of others, of greatly superior ability and position, in ages past, have taught him, were promotive of the ends of justice, and the establishment of right.

He can but believe that the effect of the proposed change will be other than expected by the majority of the committee, which should be the object of all regulations in regard to the mode of proceedings in our courts, to-wit: the elicitation of the whole truth of the case. If the change will promote this object it should certainly be adopted. Instead of doing this, the effect, in the opinion of the undersigned, will be—*First*, to encourage false swearing and perjury, and allow, at the same time, an evasion of the penalties affixed to that offence; *Second*, the oppression of the weak in intellect by calling them to the witness box, either in great or trifling matters, to be brow beaten by an examination in the nature of a cross-examination, their testimony to be contradicted by other witnesses, who, being disinterested, would receive credence, when even apparently in conflict with that of a party to the suit; and this only to gratify the malice of the party calling his opponent; *Third*. It would make the court a theatre, in which the farce could, and would often be acted, of a party calling a witness to the stand to testify, the statement of whom he could as soon as made, proceed to contradict by the introduction of a number of other witnesses, in rebuttal, and to impeach the witness and impair the credibility of evidence which he had himself brought into the case; thus having the court solemnly “to march up the hill and down again.” The undersigned is of opinion that if the present statutory regula-

tion upon the subject has proved ineffectual to secure the end in view, it is only because of its variance from the law as it stood before the Legislative change from the rule in equity, under the common law ; and that if there is any reason for another change it should not be in the direction proposed by the bill, that this a case in which "steps taken backward," would be progress in the right direction. For these and other reasons, he hopes that the provisions of the bill referred to will be stricken out.

Mr. Wigfall made the following report :

I am instructed by the committee on State Affairs, to return the message of the Governor, as referred to them, and report that in the opinion of the committee, it should be referred to a select Joint Committee of the two Houses.

Mr. Wigfall offered the following resolution :

*Resolved*, That the message of the Governor on Kansas Affairs be referred to a Joint Select committee of the two Houses, and that the President of the Senate appoint five on the part of the Senate to act with such members of the House of Representatives as may be appointed by that body. Adopted.

Messrs. Wigfall, Potter, Graham, Stockdale and Maverick, were appointed the committee

A message from the House was received informing the Senate that the House had passed the following bills originating in that body :

A bill to incorporate Union Hill High School.

A bill for the relief of Isaac N. Hitchcock.

A bill for the relief of Terreasa Highsmith.

A bill for the relief of William Parmer, or his assigns.

A bill to amend the second section of an act to incorporate the Eastern Texas and Red River Insurance Company.

A bill defining the Seventh Judicial District, and the time of holding courts therein.

A bill to define the dividing line between the counties of Hill, Navarro and Limestone.

A bill defining the time of holding the District Courts in the fourth Judicial Districts ; and

A joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to procure such action on the part of the U. S. Government, as

will cause the Indians in Texas, West of the Pacas River, to be collected upon the Reserve provided for them.

On motion of Mr. Graham, the Senate adjourned until tomorrow morning at 10 o'clock.

SATURDAY, January 23, 1858.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Walker presented the petition of N. H. Clanton; referred to the committee on Public Lands.

Mr. Potter made the following reports:

The Judiciary committee have considered a bill supplemental to an act to provide for the registry of Deeds, &c., and recommended its passage.

The Judiciary committee have considered a bill to amend the first section of an act to change the time of holding the County Courts of Upshur county, and direct me to report a substitute for the same, and to recommend its adoption and passage.

The Judiciary committee have considered a bill to incorporate a School for the Blind, and direct me to report that the committee can find no sufficient reason for the proposed legislation at this time. The fund provided by the State for the education of the blind under the provisions of the act to establish an institution for the education of the blind, is managed by trustees, appointed by the Governor, and the school is under their direction. The committee therefore direct me to recommend that the bill be laid on the table.

Mr. Stockdale, from the Judiciary committee, made the following reports:

The Judiciary committee have considered the petition of sundry citizens of Ellis county, praying a graduation of the license tax for the retail of spirituous liquors, and instruct me to report that the reduction in any instance, or in any particular class of cases, would be productive of no good, and against the policy of the law. I am therefore directed to recommend that the petition be laid upon the table.

The committee on the Judiciary have considered a House bill to incorporate the town of Clinton, in DeWitt county,